MULTICULTURAL BROADCASTING
IN
CANADA

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PREFACE

In this study, the term "multiculturalism" is meant to describe cultural and/or linguistic activities. When used in reference to the broadcast media, for example, it includes any programming which falls under the program categories of Type A, B, C, D and E in the CRTC's Broadcasting Policy Reflecting Canada's Linguistic and Cultural Diversity, as well as potential services not covered by that policy. (For a description of these program categories, see Appendix 2.)

Use of the term multiculturalism resists confinement to functional definitions, however, because it is also an expression of a particular set of values and ideals which make up national policy. The expression "mainstream multiculturalism" refers to the goal of having multicultural policies and values completely accepted and integrated, as a matter of course, into everyday Canadian life.

The term "ethno-cultural" denotes one group as opposed to the many groups implied by "multicultural". "Ethno-cultural" also serves as an adjective similar in meaning to the use of terms such as "ethnic group", and "cultural minorities", which refer to persons who would identify themselves, or who would be identified by a majority of Canadians, as belonging to neither of Canada's two charter groups.

EXECUTIVE SUMMARY

Multicultural broadcasting in Canada commenced after the Second World War when some private radio stations began including "foreign" programming in their regular schedules.

This practice continued, with increasing amounts of "foreign" or third-language programming being provided, until 1957, when a Montreal broadcaster applied to establish an AM station specifically designed to serve minority language groups.

Largely because of this application the Board of Broadcast Governors moved to establish a policy for third-language broadcasting. This policy, published in 1962, did not allow for the creation of unilingual broadcasting licences but permitted existing broadcasters to carry up to 15% of their weekly schedules in third-languages. Subject to a public hearing, this limit could be increased to a maximum of 40%.

The most significant development was the publishing of the Report of the Committee on Bilingualism and Biculturalism (B&B Commission) in 1970. Largely as a result of the Committee's considerations of the cultural contribution of ethnic groups and its recommendations pertaining to the "maintenance of languages and cultures", the Government announced, in 1971, a policy of "multiculturalism within a bilingual framework". Shortly thereafter a ministerial post was established resulting in the creation of a Multiculturalism Directorate in 1973.

Because the B&B Commission had directed attention to the important role of broadcasting, considerably more attention was now directed by the then-regulatory body, the Canadian Radio & Television Commission, to multicultural services.

Surprisingly perhaps, this did not result in any major new initiatives. Eventually, as some radio stations moved to achieve the maximum 40% third-language allowance, it gradually became the criterion for defining private ethnic radio stations.

Because both the CRTC and the CBC continued to see their primary roles as being related to English and French services, such multicultural programming as did evolve during this period continued to be the result of private sector initiatives.

This trend intensified with the introduction of cable, as individual cable operators introduced new third-language services.

In 1978 a multilingual broadcast station was licensed to serve Toronto. Ethnic pay-television services were introduced in 1984. During this period the licensing pattern began to change. Many cable systems were allowed to devote whole channels to multicultural programming. The multilingual broadcast station was allowed to carry up to 60% third-language programming and the ethnic pay-television services were allowed third-language and Canadian content quotas based on the applications they presented to the CRTC rather than on current policies.

At this time too, closed-circuit audio services in third-languages were already being carried by cable. Supported by advertising these services proved to be immensely valuable to ethnic communities.

All of these efforts simply continued and reinforced the initiatives of the private sector. Far from <u>establishing</u> multicultural broadcasting policies, the CRTC found itself more and more in the position of confirming, in formal policy statements and licensing practices, what was being done, or proposed, by the private sector.

It follows that the CRTC's Policy Reflecting Canada's Linguisitic and Cultural Diversity is largely an attempt to regularize, and render more consistent, what was already largely in place.

This process was both necessary and valuable. Furthermore it has acknowledged the major concerns of ethnic groups and ethnic broadcasters, and has encouraged broadcasters and cable companies to develop innovative service proposals.

The most significant step is the creation of five new categories of programming which range from programming in languages other than English and French and native Canadian, to programming in English and French directed to any ethnic group or a mainstream audience.

In this respect the policy recognizes the changed makeup of Canada's population and the need to devise new service formats.

To be licensed as an ethnic radio or television station a licensee must provide at least 60% of the programming in the first four programming categories. But the CRTC is also concerned to ensure that the program service will both reflect the demographics of the area being served and the strength of community support.

The policy also places certain restrictions on conventional licensees in areas served by ethnic stations so as to prevent competition which could adversely affect the economic viability of the ethnic services.

The policy approves the practice of brokering; that is, the selling of blocks of time to independent producers, and endorses the continuance of closed-circuit cable audio services.

All in all, the policy gives ethnic broadcasting a formal status and removes many of the uncertainties which have previously surrounded such activities.

The unfortunate aspect is that, given the issues which need to be addressed, it does not go far enough in putting into place a long-range multicultural broadcasting strategy.

As well, it is apparent that some of the policy's important expectations may not be realized.

For example, there is no guarantee that the program category system will result in a wider range of types of ethnic services. As is the case now, the emphasis will likely continue on entertainment programming provided by commercially-supported ethnic stations.

Because the CRTC has delayed decisions on most of the critical issues, arguing that they require further study, there would appear to be little additional incentive for new service ideas to develop immediately.

For example, the CRTC has referred radio content definitions, Canadian content, and advertising to either its own or industry study groups, or has deferred issues pending upcoming policy releases.

All this suggests that the new policy is not seen as a distinct and separate policy for multicultural broadcasting, but as a policy to be fitted into an existing framework which is based on services in Canada's two official languages.

This tendency is particularly disturbing because it appears to be opposed to what is needed if the expressed needs of cultural minorities are to be met. For example, based on comments to the CRTC's hearings, and to

submissions to the Task Force on Broadcasting after the release of the CRTC's policy, cultural groups want three things: more multicultural programming in conventional broadcasting both private and public, increased opportunities for access to the system in both creative and administrative capacities so that increased representation in media can occur, and an end to discriminatory portrayal.

However, it was obviously not the CRTC's intention to deal with the concerns of ethnic groups for fair portrayal and representation; educational programming for ethnic groups including language training; or the issue of conventional broadcasting, particularly the CBC increasing its levels of multicultural programming. Although it does deal to some extent with access, and the question of the multicultural efforts of private broadcasters, it seems unlikely that bold and determined actions will result.

The CBC's role is particularly important because much more than the private sector it sets a "role model". Furthermore many multicultural service and programming needs simply cannot be fulfilled by the commercial sector.

After considerable neglect of the subject, the CBC is now developing a progressive new approach towards multiculturalism which could become a key element of an overall multicultural broadcasting strategy.

But like other elements of the broadcasting system, ways must be found to ensure that this positive trend continues. The Study concludes that the only way to address these various issues is to introduce legislative change, in order to embody multiculturalism objectives, into the mandates of existing agencies, institutions, and industries. However, it is thought to be valuable to examine in this study the effects of the CRTC's ethnic broadcasting policy; to explore what might be achieved if a changed

regulatory philosophy was introduced within the existing legislation; and finally to set out specific legislative changes and their potential effects.

The CRTC's current policies assume that future developments will largely be driven by economic incentives and conditions. But it is unlikely that such conditions will improve services to small cultural minorities, nor result in the development of new types of multicultural services.

On the other hand, a more effective use of "brokering", with more advantages being taken of cable community channels, could help increase the qualtity of existing forms of programming.

At the same time the increased focus on multiculturalism could bring about some initial changes in the public and private broadcasting sectors conducive to the support of the multiculturalism concept.

On balance, however, the CRTC's policy is unlikely to be very effective in the long-term in addressing the outstanding issues which we have identified.

Regulatory changes could be introduced now, within existing legislation, if the CRTC was disposed to adopt such a course.

This would entail modifying existing CRTC policies in order to respond more effectively to the needs of cultural minorities and the aims of Canada's multiculturalism policy.

A first step could be to make the private sector more competitive. This could involve the removal of protective devices. In this way broadcasters would have to deal with normal marketplace forces. At the same time broadcasters would be given greater operational flexibility. The present ethnic program category system could be removed and the Canadian content rules liberalized.

The effect of this would be to allow broadcasters more opportunities to develop services oriented to the needs, and the commercial potential, of specific markets.

More stress could be placed on brokering so as to encourage the entry of more independent content providers. Low-power radio and television allocations could also be explored so as to permit the servicing of small, discrete, geographic areas.

The cable carriage rules could be modified so as to allow "composite" services to be developed for specific areas. These services could contain the best and most relevant content from a number of different sources, i.e. off-air, cable, satellite, etc.

Advertising opportunities, especially for new services, could be increased. Examples would be SCMO and VBI based services.

Provincial authorities might be encouraged to examine educational services for minorities, including language training, and to consider an amendment to the existing directive to the CRTC regarding the definition of educational programming

Improved multicultural programming activities by the public and private sectors could be a key objective. Ways could be explored to give incentives to broadcasters and cable companies to create more multicultural programming.

The CRTC could also take the initiative in exploring ways to improve the depiction and portrayal of ethnic minorities.

Although such changes still rest largely on economic incentives, these incentives can be made broader by reducing the regulatory burden. Overall,

the CRTC could adopt a more flexible approach while at the same time taking a more active role in giving more attention to the needs of cultural minorities and to the aims of Canada's Multiculturalism Policy.

While the CRTC's current policies achieve some progress in meeting Canada's multicultural objectives, and while changes to current regulatory practices within the existing legislative Acts could further improve results, the only satisfactory long-term course of action is to revise existing legislative instruments.

This requires changes to the Broadcasting Act, the Canada Council Act, the National Film Act and to the Act pertaining to Telefilm Canada.

The objective would be to include the concept of multiculturalism in legislation so as to ensure that it becomes a normal part of the mandate of key federal institutions.

The Broadcasting Act would not only be changed in respect to its general provision, but also in relation to the mandate of the CBC.

Included in the changes to the Broadcasting Act would be a clause enabling broadcasting undertakings to be operated in whole or in part as Common Carriers in order to facilitate broader access for cultural minorities.

Changes are also suggested which will give increased power to municipal and provincial governments to support and operate broadcasting undertakings.

Overall, there would be a lessening of regulation with a clearer recognition of the difference between publicly-supported, and private commercial services.

The intention would be to accept a more competitive private sector environment, allowing multicultural services to evolve that are commercially viable, while at the same time looking to the public sector at all level, municipal, provincial and federal, to support needs which cannot be satisfied by private sector initiatives.

This latter course of action is the one which this study recommends. If legislative changes are introduced it will be much easier to bring about an overall climate of constructive change and to gradually effect appropriate regulatory, policy, and operational changes.

By proceeding in this way the individual actions of regulatory and policy-making bodies, and the on-going operations of the various industries and institutions affected, will be changed and adapted without massive government intervention at the working level.

Effective and responsible legislative change can set broad goals leaving ample room for imaginative interpretation, while not compromising the ultimate objective which is to give effect to Canada's multiculturalism policy and to better serve Canada's cultural minorities.

PART ONE

ETHNIC BROADCASTING:
EARLY EVOLUTION TO PRESENT SERVICES

Third-language broadcasting in Canada did not begin as a result of specific regulatory policy but as the result of individual initiatives taken by private broadcasters.

A survey conducted in 1955 by the Canadian Association of Radio and Television Broadcasters, the forerunner of the CAB*, showed that 27 radio stations were carrying a total of 60 hours and 50 minutes of foreign-language programs annually. Twenty hours were in German, 21 hours in Italian and the remaining time was divided among 10 other languages.

Some idea of the difficulties encountered at this time is reflected in the attempts of Casimir Stanszykowski, who in 1957 applied to the CBC, the then-regulatory body, to establish an AM station in Montreal to serve minority language groups. At that time there was no formal policy for an ethnic station so no progress was made with the application. After the BBG was established Stanszykowski again applied for an AM licence. The date was May 12, 1959. Some 5 years were to elapse before CFMB was eventually licenced.

During the late fifties, third-language broadcasting continued to develop. By 1958, there were 54 radio stations carrying a total of 143 hours and 40 minutes annually, including 44 hours of Italian and 36 hours of German. The greatest percentage increase was in the prairie provinces where third-language programming increased seven-fold from 1955, to 22 hours and 50 minutes in 1958.

Perhaps largely as a result of the Stanszykowski application for a minority language station, the BBG took measures to establish a policy on foreign-language programming. A circular issued on October 27, 1961 referred to the "logging of language programs". Procedural rules were established and a public announcement was issued on January 22, 1962.

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* The Canadian Association of Broadcasters

The two major points made in the BBG's announcement were that the main purpose for providing foreign-language broadcasting was to integrate the newcomer, and that the BBG would not issue multilingual broadcasting licences but rather would add a provision to the existing categories of broadcast licences.

CFMB went on air December 21, 1962, and was to offer, in any week, not less than 25% and not more than 40% of its program time in languages other than French and English. By 1973, in addition to French and English, CFMB was broadcasting a total of 50 hours per week in 20 foreign languages.

The regulations promulgated by the BBG allowed a station to carry up to 15% of its weekly aggregate schedule between 0600 and 2400 hours in other-language programing. Regulatory permission was needed to increase this to 20%. A licence-holder or applicant seeking to include from 20% up to a maximum of 40% was subject to a public hearing and had to be able to demonstrate that a sufficient number of listeners in the coverage area spoke other-languages. In fact, the 1962 public announcement specifically stated that there must be between 150,000 and 200,000 potential listeners with mother tongues other than English and French within the confines of the area that the proposed station was to serve.

The second application from a radio station for an ethnic licence came from CHIN, a Toronto station, in 1967. CHIN-AM had broadcast close to 15% air time in languages other than English and French but no specific concession had been requested from the regulator. In 1966 the Lombardi group, which operated CHIN-AM, applied for and received a licence for CHIN-FM within the 15% requirement. In 1968, both CHIN-AM and CHIN-FM were the subject of an application to air foreign-language programming up to 20-40% of the time on both stations. However, it was not until 1970 that the Lombardi group obtained a licence with a 40% foreign-language content allowance.

It can be seen that all of these early efforts in the provision of third-language services were the result of private sector initiatives. In fact, considerable pressure had to be brought to bear on the regulatory authorities in order to establish third-language services. From the very beginning regulatory authorities operated in a reactive mode, attempting to accept and rationalize service concepts developed by entrepreneurs anxious to serve identified needs for third-language services in Canadian communities.

It was not until the establishment of the Royal Commission on Bilingualism and Biculturalism in 1963 that a formal attempt was made to consider the increasing demands from ethnic minorities for services oriented to their specific needs.

Four precise recommendations were directed to the CRTC in Volume IV of the B&B Commission Report entitled, "The Cultural Contribution of the Ethnic Groups".

Recommendation 8 stated "the CRTC remove restrictions on private broadcasting in languages other than English and French, except those restrictions necessary to meet the administrative and legal responsibilities of the licencees and those that apply to English and French language programs".

Recommendation 10 stated that "the CRTC undertake studies in the field of broadcasting in other languages to determine the best means by which radio and television can contribute to the maintenance of languages and cultures and that the CBC participate in those studies". It was further recommended that these studies include pilot projects in either AM or FM radio in both Montreal and Toronto.

Recommendation 11 stated that "research be undertaken through the CRTC concerning the nature and effects of the portrayal of other cultural groups

on both publicly and privately-owned English and French language radio and television stations."

Recommendation 14 stated that "the appropriate federal, provincial and municipal agencies receive the financial means they require to maintain and extend their support to cultural and research organizations whose objectives are to foster the arts and letters of cultural groups other than the British and French."

Within a year after the issuing of the final volume of the six-volume B & B Report, the Federal Government issued a multiculturalism policy, and a policy of "multiculturalism within a bilingual framework" became the objective unanimously approved by parliament.

A ministerial post was established in 1972 resulting in the creation of a Multiculturalism Directorate, and in 1973, a Canadian Consultative Committee on Multiculturalism was formed.[1]

All of these developments thrust the multiculturalism issue into the limelight. The newly-established CRTC* focussed a great deal of attention on multilingual and multicultural broadcasting. One result was the issuing of a comprehensive review entitled, "Multilingual Broadcasting in the 1970's".

But in spite of this flurry of activity it is difficult to discern any particular changes to the then-prevailing regulatory philosophy, or any evidence of a search for new ways of responding to the objectives of the multiculturalism policy. There is no evidence that the CRTC introduced pilot projects, nor undertook research concerning the portrayal of other cultural groups, as recommended by the B & B Commission.

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*Created by the Broadcasting Act of 1967-68.

In general the Commission seemed to support the view that the CBC had been doing what it could within the limits of its mandate to reflect to the public Canada's growing multicultural diversity. However, the Commission did have this observation to make in its decison CRTC 74-80 renewing the CBC's licences.

> "It is now more than two years since the federal government announced support for the concept of multiculturalism in a bilingual context. The Corporation has made efforts to portray Canada's multicultural diversity, most notable on its English language network radio service...
>
> What seems clearer is that the Corporation has taken insufficient advantage of the variety of Canadian cultures to enrich the programming content of the broadcasting system as a whole. As some intervenors said, a better use of these domestic multicultural resources could be a healthy corrective to the continuing imbalance of foreign influences in Canadian life. It was suggested that such resources could flow naturally from the locally and regionally based character of Canada's cultural minorities."

Most of the new CRTC initiatives seemed to centre on cable television rather than on the established radio and television broadcasting services. For example, the Commission encouraged the community channel to be used to reflect the multicultural nature of Canadian communities.* The cable industry itself, following in the footsteps of private broadcasters, recognized the value of providing specific channels to offer multicultural and multilingual programming. In many ways much of the early efforts by the cable industry in the Toronto area laid the groundwork for the eventual introduction of Canada's first multilingual television station.

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*The CRTC's 1975 Cable Policy expected cable licences to "provide opportunities for expression by the various ethnic communities in their licenced area."[2]

As of January 1981, third-language programming was available from 102 broadcasting licences. Of the 46 AM radio stations providing such programming, 5 were licenced to carry up to 40% of their weekly schedules in other language formats. For FM radio, 20 stations provided language diversity. For television, 11 stations scheduled some multilingual material and one station carried up to 60%. Some 25 cable systems provided some of this programming on their community channels and on closed-circuit audio channels provided as part of the cable FM radio services. Altogether the total weekly amount of third language programming provided by the Canadian Broadcasting System in 1981 was some 881 hours, all the result of private sector initiatives:

> third language broadcasting situates almost exclusively in the private sector and predominately in the commercial realm of that sector. At present (1981) 90% of all multilingual broadcasting is aired on private commercial outlets. The remaining 10% is aired on non-commercial outlets which include several university or community co-op radio outlets. Alberta Access radio programs and Radio Quebec's 1980-81 weekly series aired in alternating language-specific formats with French language subtitles.[3]

All in all it could be fairly said that the CRTC did not see the multiculturalism policy as an inducement to initiate new regulatory measures so as to implement the aims of the policy through broadcasting activities.

Basically the Commission seems to have decided that its major role was in giving more public exposure to the results acheived through the initiatives of the private sector. Such steps that were taken in relation to new policy-making processes, such as the development of the cable policies and regulations, were designed to build on present practices, rather than to facilitate specific new initiatives in respect of the introduction of multilingual or multicultural services.

Much the same process occurred with the eventual licencing of a multilingual television station in 1978, and in regard to the introduction of other-language pay-television services in 1984.

The Commission departed from its established 40% requirement for radio so as to enable the multilingual television station to devote at least 60% of its weekly scheduled offerings between 0600 and 2400 hours to third-language content with third-language defined as other than English, French or Native Canadian. Furthermore, for the first time it did not stipulate that third-language programming would have to be necessarily in direct proportion to the linguistic demographics of the coverage area.

For ethnic pay-television services a greatly lowered Canadian content was allowed with the condition that a certain percentage of the licencee's total expenditures for programming in each year be devoted to the acquisition of, or investment in, Canadian programs.

It can be seen that even these more recent efforts were not tied in with any specific overall policy, nor is there any indication that the CRTC had been moved to develop a comprehensive policy based on the needs of ethnic peoples and with regard to the objectives of the multiculturalism policy.

One of the more interesting examples of this lack of focus was the circumstance which led to the formation in 1981, by the owners of Canada's eight multilingual radio stations, of the Canadian Association of Ethnic Broadcasters. The primary motivation for this loose association was the threat created by the introduction of closed-circuit third-language broadcasting on cable radio. Ironically, the cable service was fulfilling needs that could not easily be fulfilled by conventional broadcasters, in respect to both the kinds of dedicated services to specific language minorities, and the low-cost advertising which was being used to support the programming.

Yet the CRTC made several attempts to discontinue this type of service by encouraging the operators to seek conventional off-air broadcasting licences which would then bring the service more directly under the CRTC's control and, as well, conform to established licencing practices.

Most difficult of all has been the reluctance of the public broadcasting service, the CBC, to increase its multicultural programming efforts. The most logical agency to set an example, in terms of the use of broadcasting for multiculturalism objectives, it simply declined to change established programming practices largely on the basis that its terms of reference did not extend to any significant increase in multicultural programming or its budget provide for such costs.

At the time that the CRTC introduced its proposed ethnic broadcasting policy there were therefore a number of key, and unresolved, issues.

1. The extent to which the aims of the multiculturalism policy were being realized through the activities of licenced broadcasting undertakings.

2. The extent to which multiculturalism was being expressed in the programming activities of the public sector, the CBC.

3. The extent to which the private sector was able to respond to the identified needs of ethnic peoples in Canada.

4. The extent to which the private sector including broadcasting and cable were reflecting multiculturalism in their general program and service offerings.

5. The extent to which the resources and capabilities of the ethnic peoples themselves were finding expression through the use of the production and distribution resources of the Canadian Broadcasting system.

6. The extent to which ethnic minorities were being fairly depicted and portrayed in the programming.

7. The extent to which new policy and regulatory initiatives were being introduced to give practical realization to the above issues.

Sources and References - Part One

1. Much of the data and information in the preceding sections has been extracted from, or based on, "Third-Language Broadcasting in Canada", A Summary of the Inconsistencies, by Commissioner R. DeStefano, March, 1984.

2. See, Policies Respecting Broadcasting Receiving Undertakings (Cable Television) December 16th, 1975, Page 4, paragraph 3.(e).

3. See, "The Accommodation of Language Diversity in Canadian Broadcasting", A Study prepared for the DOC in 1981 by Carleton University.

PART TWO

PUBLIC NOTICE CRTC 1985-139
A BROADCASTING POLICY REFLECTING CANADA'S LINGUISTIC AND CULTURAL DIVERSITY

Measured against the prime objective of the Ministry of State for Multiculturalism for "mainstream multiculturalism", an objective shared by the majority of organizations of cultural minorities who have made representation to the CRTC and to the Task Force in the past six months, the CRTC's multicultural broadcasting policy falls short.

Measured against the previously-existing situation of the ad hoc development of an original grass roots minority activity, the issuance of the policy represents government recognition and endorsement and is therefore a landmark event - for minority audiences, multicultural broadcasters and the Commission itself.

By formalizing the structure whereby multicultural broadcasting undertakings may be licenced, by acknowledging the major concerns of ethnic groups and delineating responsibility for further examination, by offering some regulatory protection to multicultural broadcasters, and by approving the continued practice of brokerage, the CRTC has legitimized an area of broadcasting that developed gradually but spontaneously in the private sector without specific regulatory intervention or government sanction. Although the policy document encourages broadcasters and cable licencees to make innovative proposals for the redistribution of multicultural programming as a special service and for the potential use of VBI and SCMO for ethnic services, the Policy itself is more a formal definition of current practice than an innovative plan of action. Conventional broadcasters, for example, will still be able to "creamskim" by using their 10-15% freedom to program third-language material in the most commercially productive single language, while being under no regulatory obligation to observe the Commission's expectation to provide more

multicultural (Type E)* programming, given the current policy of non-competition for licence renewals.

The CRTC's Proposed Ethnic Broadcasting Policy garnered many comments in the submitted briefs which were essentially off-topic in the sense of addressing concerns which were outside both the Commission's objectives in initiating the policy and its resources and legislative mandate.

The intention of the CRTC was not to establish regulatory mechanisms for guaranteeing fair access to, and representation in, the broadcast media for cultural minorities, nor was it even to directly enhance ethnic services through new regulations. The intention, successfully realized by the Commission, was rather to provide a rationale for licencing consistency and a framework for the licensing procedure. Nevertheless, unless the policy is evaluated in terms beyond its original intention, however unfair this may be, there is little to say about it. In its practical effect, the policy is simply a formalization of the status quo.

The most significant change introduced by the Policy is the recognition of the importance of multicultural programming in English and French. While formerly 40% of the programming of a licenced ethnic radio broadcaster had to be in a third language (Type A), now at least 60% of the time on ethnic

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* For a comparative breakdown of the CRTC's program categories, see Appendix 2.

TYPE E: A program in French or in English that is directed to any ethnic group or to a mainstream audience and that depicts Canada's cultural diversity through services that are multicultural, educational, informational, cross-cultural or inter-cultural in nature.

radio and T.V. Stations must be devoted to categories A, B, C and D. This 60% should now in most cases include programming in English, French, or a mixture of an official and a third language (Types B, C and D). The creation of Type B* as an ethnic programming category responds particularly well to the changed makeup of Canada's immigrant population over the past 15 years, from a preponderance of white Europeans speaking a variety of languages, to a sizeable proportion of immigrants from visible minorities whose common or bond language is English or French.

It is in this same area of types of programming and percentages of each type that the CRTC responded most satisfactorily to the reiterated pleas for flexibility that it received in submissions to the Hearings on the proposed policy. The Commission agreed to establish by individual conditions of licence the percentage of the 60% to be devoted to Type A and Type B programming rather than making law a blanket set of percentages for all ethnic licencees as was defined in the proposed policy.

Although the establishment of the new programming categories gives strong encouragement to the provision of services for cultural groups in English and French, the possibility still exists for a multicultural broadcaster to provide only or mainly Type A programming, and that in languages which must not only be duly represented demographically but must also be supported by strong local organizations. Demographics and community support are the two factors the CRTC will use to evaluate proposals for new licences, presumably, because of lack of CRTC staff resources, using the applicants themselves as its major source of information.

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*TYPE B: A program in French or in English that is directed specifically to racially or culturally distinct groups whose first or common bond language (in the country of their origin) is French or English (such as Africans from Algeria, Mauritania and Morocco; Caribbean Blacks; and groups from India).

The CRTC policy appears to be instituting new much-needed types of multicultural programming which can better respond to the changing demographic patterns in the country: Types B, C, D and E are referred to throughout the policy document, giving the first impression that these types of programming will have to be provided by new licencees. The practical effects of the policy are that no change from the present services offered need occur. The emphasis is still very much on third-language entertainment programming by commercially-supported "ethnic stations", the same foreign-language programming of the early days. Type B programming is equated in importance with Type A programming but inclusion of it does not appear to be mandatory. Moreover, there is no explanation for why Type B is considered more important than Type C or even Type D.*

An examination of the amounts of programming currently available in each of the CRTC Types, reveals considerable variation in the ratio of third-language to English or French-language ethnic programming on the different media.

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*TYPE C: A program in French or in English that is directed specifically to any culturally or racially distinct group whose heritage language is already included in Type A (such as those groups who have not retained the use of a third-language).

TYPE D: A program using a bilingual mix (French or English plus a third language from Type A) that is directed specifically to any culturally or racially distinct group (such as French and Arabic, English and Italian, English and Punjabi).

A Comparison of Ethnic Programming by Type on AM Radio, FM Radio and Cable TV

- expressed in total hours and minutes per week, nation-wide.*

	Type A	Type D	Type B, C, E Combined
AM	437:00	63:45	11:10
FM	194:00	15:30	14:05
Cable	147:30	30:15	42:45

Figure 1

The number of hours of Types B, C and E programming have been combined because of the difficulty of determining the category in which a particular show belongs. If a program is in a language other than English, French or native Canadian, it is automatically Type A; if it is a mix of English or French with a third-language it is automatically the Type D classification; making assessments beyond these two categories presents problems.

Shows like "Black is" and "Black Community", broadcast in English on Intervision in Quebec, are addressed to a racially distinct group whose common bond language is English, as per the definition for a Type B program, but are cross-cultural and might therefore be considered Type E programs.

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* gleaned from an analysis of program titles in CRTC logs.

Both Hebrew and Arabic are included amongst the heritage languages of Type A programming*: are shows such as "Jewish Mosaic" and "Islam in Focus", broadcast in English, therefore Type C programs, or Type E, because of their cross-cultural nature? Are religious programs like "Voice of Deliverance", "Step of Faith", and "Ye Must be Born Again", broadcast in English on cable community channels in the Prairies and addressed to Type C groups who have not retained the use of their heritage languages, the kind of ethnic programming the CRTC had in mind when it created the Type C category?

On Halifax Cablevision, the half-hour show entitled "Indian Is" is listed by the CRTC as an ethnic program. While it may have the flavour in a local context of a Type C program, in that it addresses a culturally and racially distinct group who have for the most part not retained their heritage language, it cannot be considered a Type C program because native languages are excluded from the definition of Type A programming. The show could, too, be classified as a Type B program, in that English or French is the "common bond language (in the country of their national origin)" of native Canadians, if it were not for the official understanding that native people are not to be viewed as ethnic but may be included in multicultural programming.

In a similar way, "La Francophonie and You", broadcast by Rogers in Vancouver, is not an ethnic program at all by CRTC definition, not even a Type E program. Yet, in Vancouver, the show is obviously seen as ethnic and moreover is listed as such by the CRTC.

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*TYPE A: A program in a language or languages other than French, English or native Canadian.

Figure 1 shows that while there is roughly forty times more Type A programming on AM radio than there is programming of Types B, C and E combined, there is only 3 1/2 times more third-language material on cable than Types B, C and E combined. In particular, there is almost no Type E programming currently offered on ethnic AM radio, while over half of the total hours for Types B, C and E combined on cable is Type E programming.

Since ethnic programming on cable is more recent than ethnic programming on AM radio, as well as being non-commercial and the direct result of the efforts of local cultural groups, the breakdown by Type on cable indicates most clearly the present needs of these groups.

The manner in which the 5 types are set out in the policy, with conventional broadcasters given no limits on the amount of Type E material they can program without making special application to the Commission - a privilege they have always had but have not availed themselves of - and Type A material continuing to be the unquestioned staple of ethnic stations, who are not encouraged to program any Type E whatsoever (in fact, it doesn't count towards the 60% they need to qualify as ethnic), causes the 3 intervening types of programming to appear as points on a sort of continuum of ethnicity. Type A, as most ethnic, stands on the far left, and Type E, which could be termed most multicultural, lies to the far right of the continuum.

A Continuum: From Ethnic to Multicultural Programming

Program Types:	A ...	B ...	C ...	D ...	E
	most specific				most general
	most "ethnic				most multicultural
	most-programmed				least-programmed
	smallest audiences				largest audiences
	greatest regulatory intervention, historically				no regulatory intervention
	highest CRTC priority				highest current priority cultural associations
	commercially-supported				non-commercial
	entertainment orientation				educational orientation

Figure 2

The significance of the CRTC's weighting of the relative importance of the various types of programming possible in the field of ethnic broadcasting is that it would appear to be the exact reverse of the weighting which cultural minority associations might prefer, judging by their comments to the Hearings and particularly, by their submissions to the Task Force after the issuance of the CRTC's actual policy. These groups want three things: more multicultural programming in conventional private and, particularly, public broadcasting; increased opportunities for access into the system in both creative and administrative capacities so that increased representation in the media can occur, and an end to discriminatory portrayal.

The fact that one of the major concerns of a group such as the Manitoba Association for the Promotion of Ancestral Languages is not that more third-language broadcasting be offered but that "multicultural programming be integrated into the conventional radio and television stations"[1], indicates a significant shift in priorities.

The German-Canadian Congress reiterates this priority in comparison with the CRTC's priority and identifies itself as a predominately Type C audience, a category which, although it was officially recognized for the first time in the Policy still need not be served by the new regulations unless an individual broadcaster wishes to do so or broadcasts in a community with a particularly large Type C population, such as Kitchener.

> The German-Canadian Congress supports the ethnic broadcasting policy which encourages programming in Heritage Languages, however, we also see the need for English and French language programs to include extensive multicultural programming because:
>
> a) multiculturalism should not be ghettoized into the ethnic community - it is for everyone!
>
> b) the German-Canadian community has largely adopted English as its language of communication.[2]

Italo-Canadian Advertising and Publicity Services reinforces the concern about ghettoization by making the point that "True multiculturalism means Canadians won't single out other Canadians by an ethnic label", and further states:

> ...all efforts of the Government both at the federal and provincial levels and the CRTC in regard to multiculturalism have gone into primarily one area: "Maintenance and Promotion of the Immigrants Language and Culture" - in other words a policy which... pacifies "the ethnics". There has never been any concern in having this policy involve the English and French mass media.[3]

The Canadian Ethnocultural Council maintains that the CBC does not, in fact, fulfill its mandate under Section 3(g) of the Broadcasting Act to "provide a balanced service ... for people of different ages, interests and tastes".[4] Another group observes: there are many in our community who view the CBC as too direct a model of the BBC and as an organization who puts undue emphasis on mid-Atlantic accents and on programs about British culture and values."[5] Ironically, the community channel cable show "Britian on Parade" must be classified as Type B programming.

Mediawatch Manitoba describes the media portrayal of women as follows:

> Unless she is attractive, and when she becomes middle-aged, she should not be seen. When her heritage makes her a member of a visible minority in Canada she is usually invisible.[6]

Finally, a further submission to the Task Force points out that the viewing habits of members of ethnic minorities don't differ substantially from those of other Canadians: "...the ethnic communities will look to prime-time television to see their cultures and lifestyles depicted and accepted without stereotyping."[7] This desire for acceptance into mainstream Canadian society underlies much of the submitted material from ethnocultural groups.

To achieve it, various submissions:

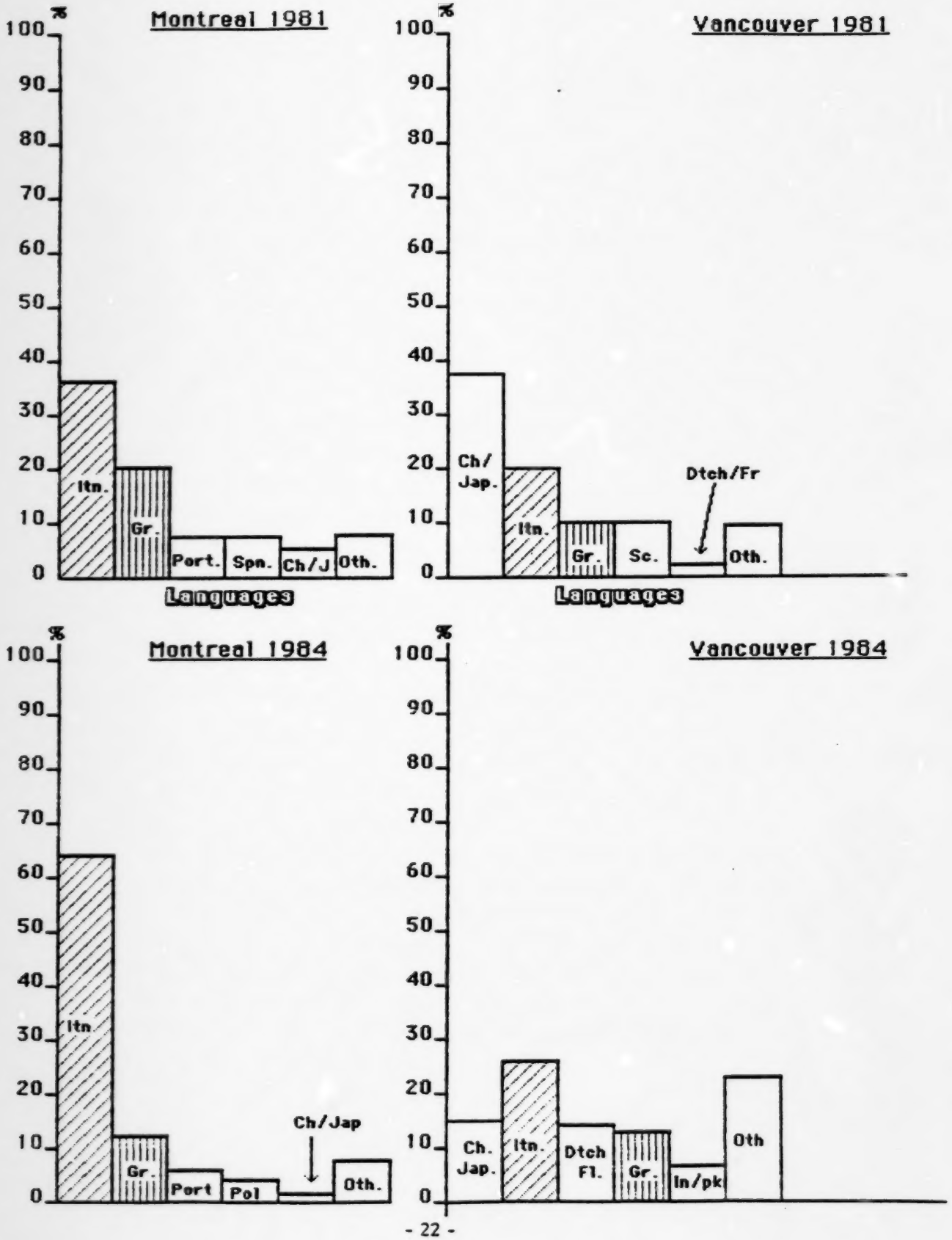
1) suggest changes to the language of the Broadcasting Act which would "mandate the public and private broadcasters to program for a multicultural Canadian society and to reflect a Canadian identity which is now bilingual and multicultural in nature..."[4] Changes in wording which officially and specifically accept Canada as a bilingual multicultural nation could extend to the policy documents of other agencies such as the CBC and Telefilm Canada.

2) urge the CRTC "to establish safeguards in programming content that would guarantee an accurate, non-discriminatory portrayal of ethno-linguistic communities.[2] Effective implementation of this suggestion needs to deal with procedures for enforcing the safeguards. It could therefore require a transformed CRTC with increased resources and a new mandate. Depending on any other recommended changes in CRTC responsibilities which may result from the Task Force's deliberations; for example, an easing of the traditional protectionist role played by the CRTC, the creation of an entirely new regulatory agency may be necessary.

The development of third-language radio broadcasting, propelled by the drive and persistence of ethnic organizations and individual broadcasters, has been largely determined by the economic realities of private broadcasting in Canada. Services currently available reflect changes in demographics and minority needs to varying degrees depending on the locality from which each service originates.

A comparison of the proportion of radio time given to the five most-programmed languages in two major Canadian markets (see Figure 3) shows rapid change within only a three-year period.

FIGURE 3


Montreal 1981
%
100
90
80
70
60
50
40
30
20
10
0
Itn.
Gr.
Port.
Spn.
Ch/J
Oth.
Languages
Vancouver 1981
%
Ch/
Jap.
Itn.
Gr.
Sc.
Dtch/Fr
Oth.
Languages
Montreal 1984
%
Itn.
Gr.
Port
Pol
Ch/Jap
Oth.
Vancouver 1984
%
Ch.
Jap.
Itn.
Dtch
Fl.
Gr.
In/pk
Oth

If multilingual broadcast services were a reflection of actual demographics, these graphs would indicate a mass influx of Italians into Montreal, and an equally dramatic exodus of Chinese and Japanese from Vancouver over the past few years. Since this is not the case, the figures may be reflecting shifts in lobby power or focus (in the case of Vancouver's Chinese - from radio to cable TV) of local ethnic organizations. In the ethnic broadcasting policy the CRTC states that both demographics and "the degree of support and involvement shown by local community organizations" will be the determining factors in the Commission's evaluation of new proposals for ethnic broadcasting licences. Unfortunately, it may take years for small local populations of recent immigrant groups, such as the Vietnamese, to form strong organizations.

Other striking changes are noticeable in the graphs of Figure 3. Spanish, for example, which accounted for over 10% of Montreal's third-language radio programming in 1981, is not merely bumped from fourth to fifth place but disappears entirely from the five most-programmed languages. In the same three-year period, in Vancouver, Scandinavian disappears and services in Indonesian and Pakistani make their debut in the top five languages.

The 1984 graphs also indicate a notable difference between the two cities in terms of the number of different languages programmed. Vancouver shows a levelling effect in the proportions of time devoted to various languages, with the "Others" category rising from 11% to 24%. Since the number of countries from which immigrants have arrived has greatly increased over the past 15 years, a high "other" proportion indicates that a particular locality is in tune with the changing demographics and is serving a greater number of linguistic minorities.

In contrast to Vancouver, Montreal has become extremely top-heavy in that it has increased its Italian-language programming from 36% to 62% and shows a slight decrease in the overall radio hours devoted to languages other than the five most-programmed.

Between 1971 and 1981 the number of different languages receiving broadcasting services rose dramatically in response to the flood of immigration from a greater number of countries. By 1981 that response had peaked and the three most-programmed languages had risen slightly to 54% of third-language broadcasting in all media. By 1984, the three most-programmed languages accounted for 66% of all third-language programming while the proportion of time devoted to languages other than the 10 most-programmed languages, in all media nation-wide, dropped from 21% in 1981 to 10.9% in 1984. In all probability, the initial democratic zeal of private ethnic broadcasters was gradually tempered by their concern for economic survival, a concern shared by the CRTC.

The new CRTC policy carries no guarantee that the range of services to be provided by new and existing licencees will be proportionate to actual need and demographics. This holds true for both conventional and dedicated licencees. By making the licencing of ethnic broadcasting services conditional, even in part, on the support of community groups the CRTC is raising expectations that cannot be fulfilled within the economic constraints of commercial broadcasting. At the same time it allows conventional broadcasters the freedom to "creamskim".

Neither position gives an increased prospect that services will be provided to as many cultural minorities as possible.

Furthermore, although the CRTC policy of denying the licencing of third-language stations appears to democratically support more diverse cultural expression, it is essentially based on the need to husband scarce frequency spectrum.

Given these difficulties it is essential to retain a simple visualization of the various types of broadcasting services under consideration and to identify the potential contributers.

Figure 4 takes ethnic broadcasting out of the continuum model and shows its relationship to broadcasting as a whole.

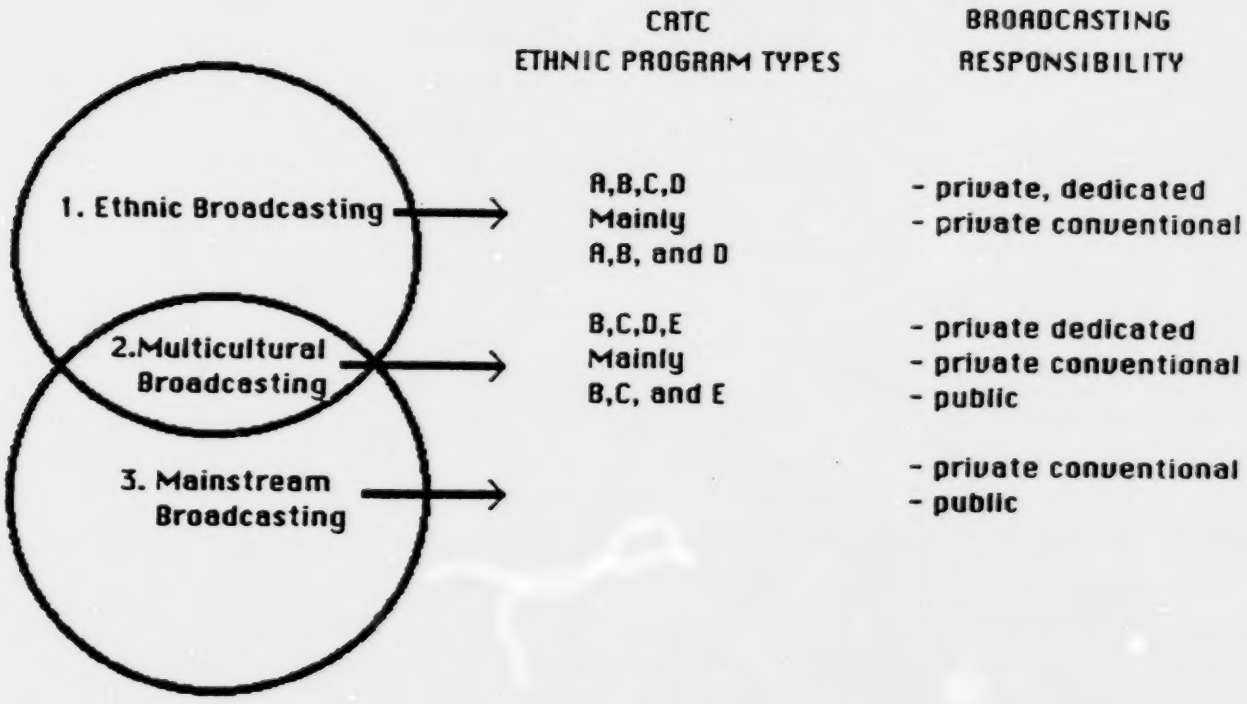


Figure 4.

As already mentioned, it was not the CRTC's intention to deal with concerns of ethnocultural groups for fair portrayal and representation; educational programming including language training, or the issue of conventional broadcasting, particularly CBC, increasing its levels of multicultural programming. Action in any of these areas would require large-scale regulatory intervention and, in some cases, changes in the CRTC mandate.

The Commission did, however, acknowledge the importance of these concerns, delineating the responsibility for further examination either to the broadcasting industry, represented by the CAB and CAEB, suggesting it take greater steps to regulate its own conduct (the CAB and CAEB has also been given the responsibility for developing An Industry Code for Broadcasting); the Minister of Multiculturalism, and most of all to a still-unformed National Advisory Committee made up of broadcasters and representatives of ethnocultural groups. In only one area brought up in the briefs by such groups, that of access to the cable community channel, the CRTC referred the issue to an internal Consultative Committee, promising to examine the question of cable licencees allocating equitable access time based on need and demographics.

A generalization would be that the Policy tends to turn any concerns raised by non-industry people back to those who had raised them, a tactic not so much of passing the buck but of returning the serve. Thus, Jack Murta found his offers of assistance to the CRTC in various areas fully quoted in the Policy, followed by the CRTC's stating its willingness to assist him in those areas. Various ethnocultural groups who had submitted briefs found participating in organizing the formation of a National Advisory Committee was the only possible avenue to pursue since the CRTC had relegated most of their concerns to this potential body.

The CRTC understandably responded more directly to issues raised by industry representatives since they tended to concretely address the various items in the proposed policy on which the CRTC had expressly asked for

comment. Even so, some of the most pressing concerns were again esentially tabled, again because action in these areas would require large-scale regulatory intervention which would affect conventional broadcasters. All such action, however, is within the mandate of the CRTC; furthermore, all of these issues were referred to the CRTC itself.

Two major issues were referred to the CRTC Consultative Committee:

1) The CAB and CAEB recommended that the Commission include instrumental selections in its definition of ethnic radio programs and consider the lyrics of a musical arrangement as spoken word content. This is in answer to the policy statement that music, advertising, station contests and community and emergency messages are not included in determining whether a particular radio program qualifies as Type A,B, C, D or E. No explanation is provided for why station contests and emergency messages in third-languages cannot count towards the 60% proportion of ethnic programming required to qualify as an ethnic station, or why community messages in an official or third language, directed towards various groups, cannot be considered Type A and B programming. In any event, the CAB and CAEB was not as concerned with these exclusions from qualifiying material as they were with the question of instrumental music and lyrics, probably because of the relative brevity of station contests, etc. and the fact that some of these items can be incorporated into the body of a program.

   The reason given by the CRTC for referring these matters to a Consultative Committee was that the CAB and CAEB recommendations had a "potential impact on existing regulations." This is another indication that the Policy can by no means be considered an innovative breakthrough: it is an enunication of what is, rather than a blueprint for what could be.

Certainly it is clear that the Commission has no intention of making exceptions in favour of ethnic broadcasters.

The second recommendation, that the lyrics of a musical arrangement be considered as spoken word content, while it might make things easier for ethnic broadcasters, is not a new demand from the CAB. Implementing this recommendation would affect conventional and ethnic broadcasters alike: the CRTC's stated reason for tabling both recommendations is more understandable for in this case.

2) The CAB and CAEB identified the difficulties of meeting Canadian content requirements in the musical area for ethnic programs on radio. This issue was referred to the Consultative Committee because the Commission does not have "sufficient information to determine an appropriate level of Canadian content for ethnic radio stations". The CRTC promised that the Consultative Committee will examine effective means of stimulating Canadian ethnic talent and production.

Three other issues were referred to other hearing processes.

The priority to be given to closed-circuit audio services and any newly-licenced ethnic television stations, and the allowance of advertising on community channels and special programming services were referred to the revised, proposed Cable regulations soon to be issued. The CRTC also announced its intention to examine ethnic specialty network services and the reluctance of some cable licencees to carry them as part of its general review of specialty services in 1986.

Although Public Notice CRTC 1985-139 did not deal directly with some of the most topical and pressing questions raised in the submissions to the

Hearings, it does contain several positive policy statements and regulatory decisions supportive of ethnic services, such as

- allowing greater flexibility in programming and scheduling than previously through its move from 60% third language to the 60% Type A, B, C and D system.

- announcing its expectation that conventional broadcasters increase their levels of multicultural programming.
  This may affect applications for new licences.

- offering a "measure of protection" to ethnic broadcasters from conventional broadcasters.

- granting CFMT-TV the same priority status currently enjoyed by all other Canadian television stations.

  Cable licencees were given 3 months to apply for the necessary amendments to their licences in order to implement the change.

- approving special channels exclusively devoted to ethnic programs in Montreal, Vancouver and Winnipeg: encouraging other groups to make proposals. The CRTC will consider case-by-case proposals to redistribute multicultural programming as a special service as is being done by Roger's Cable TV and CFMT-TV in Toronto.

- permitting the continuance of the provision by cable licencees of closed-circuit services.
  Continuance of this practice appeared to be threatened in the proposed policy.

- reiterating expectations for both ethnic and conventional broadcasters to examine the potential of VBI and SCMO for possible ethnic services.

- condoning brokerage as a continuing practice, despite the problem of loss of control over content.

- issuing a call for FM radio applications to serve various localities across Canada.
  (Currently 211 of the 236 total FM hours of ethnic programming a week originate from Ontario.)

Sources and References - Part Two

1. Manitoba Association for the Promotion of Ancestral Languages, Submission to Task Force on Broadcasting Policy, August 26, 1985.

2. German-Canadian Congress, Address to the Task Force on Broadcasting Policy.

3. Italo-Canadian Advertising and Publicity Services, (submission to Task Force).

4. Canadian Ethnocultural Council, Presentation to the Task Force on Broadcasting Policy, Aug. 14, 1985.

5. Hamilton-Dante Centre for Italian Language & Culture Inc., Submission to "The Task Force on Broadcasting Policy", September 16, 1985.

6. Mediawatch Manitoba, Brief to the Task Force on Broadcasting, August 26, 1985.

7. League for Human Rights of B'nai B'rith Canada, Brief presented to the Task Force on Broadcasting Policy, September 5, 1985.

PART THREE

THE CONTRIBUTION OF THE PUBLIC SECTOR

The CRTC's ethnic broadcasting policy did not address the issue of the role of public broadcasting in providing multicultural services.

Such an ommission serves to further emphasize the limitations of the CRTC's perspectives. The preceding assessment of the CRTC's policy reveals the impossibility of relying on the commercial marketplace to implement an effective national multiculturalism policy, and it follows that a responsible effort must involve both the public and private sectors.

In the past the CBC has held strongly to the view that its responsibility is to serve Canada's two official languages and while this is not in dispute it has generally resulted in a neglect of multiculturalism.

In the last year or so the CBC has commissioned at least one major study of its performance with respect to multicultural programming. The results support the view that the CBC is not doing enough either in respect of subject areas for programming, or in relation to the recruitment and training of ethnic peoples. Furthermore, there is evidence that its regional centres could do much more to improve the participation and reflection of cultural minorities in their ongoing activities.

There is however strong, recent, evidence that the CBC's attitude is changing. Its new plan to create "multicultural beat broadcast journalists in the principal metropolitan communities"[1] who will be responsible for ensuring the integration of multicultural items into all mainstream programming, if widely implemented in positive ways,* will set a good example. As the committee who made this recommendation assented, the plan should have been launched while both "Identities" and "Our Native

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*A possible weakness could be to follow the old adage that, "the only good news is bad news"

Land" (two multicultural programs recently discontinued) were still on the air. It is interesting to note that the CBC intends to incorporate, "program features like those heard until now on productions such as Identities and Our Native Land into regular "mainstream programming" - programming that can reach much broader audiences and have far greater multicultural impact."[2]

In its presentation to the CRTC's Ethnic Broadcasting Policy hearings the CBC took the view, "that its domestic services should be provided only in English and French, but that its programming in those languages should consciously reflect the ethno-cultural dimension of Canada as part of our national identity".

This appears to be a logical course of action in keeping with the CBC's role. It would not in general be realistic to expect the CBC to provide third-language services.*

On the other hand a public effort to support and provide linguistic services could be provided through provincially and municipally owned broadcasting undertakings or by allowing publicly-supported third-language content productions to be distributed by leasing time on either cable or broadcasting outlets.

The CBC's intentions with respect to multicultural services are extensively reviewed in its brief to the CRTC dated February 27th, 1985. However, an assessment of this brief, an appraisal of the views of ethnic peoples, and a general evaluation of the CBC's past performance suggests a number of areas which need attention.

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*However, technological advances may well permit more multi-language programs.

These areas are:

- Changes in attitude need to occur at the highest levels within the CBC. For example, appointments to the CBC's Board of Directors should reflect the multiracial nature of the Canadian Society.

- Although much has been done, increased efforts should be made at the working level, especially through staff recruiting and assignment programs to reflect the acceptance of multiculturalism as a mainstream activity.

- More attention needs to be devoted to ethnocultural issues in regular programming. Although some change is already evident, more attention needs to be paid to the depiction and portrayal of visible minorities.

- With the CBC's mandate expressly directed to the development of national unity it is not enough to report and reflect ethnocultural issues but to actively fight racism and bigotry.

- Over time cultural minorities must form a part of the normal structure of the CBC's production units.

- There could be an increased use of programs from other than English and French-speaking countries. Given rapid technological change the facility to use multiple language tracks and closed-captioning could be used to serve both official language groups, as well as linguistic minorities, simultaneously. This is one case where a third-language component could be a natural part of regular programming. Such a practice could help offset the dominance of U.S. material.

- Access programs, which have already been the subject of experiments by both the CBC and the BBC could be a means of directly involving cultural minorities, especially small minorities who obtain only minimal exposure on commercial broadcasting outlets. Such programming could do much to expose problems and attitudes and to inform all Canadians of the changing nature of the Canadian Society.

- As the CBC recognizes, the regional centres are in an excellent position to deal responsibly and fairly with ethnocultural issues. Many regional and local area tensions between racial groups, and between these groups and the larger society, could be examined before dissent erupts into civil disobedience.

But all of these possibilities should not be left to chance. Some greater assurances must be given that the CBC will embrace a concept of "mainstream" multiculturalism.

Changes to the Broadcasting Act will help but it is essential to also change that part of the Broadcasting Act which defines the CBC's mandate so that multiculturalism is an integral part of its terms of reference. See Appendix 1.

Sources and References - Part Three

1. A Study on Multicultural Reflection in CBC Radio Programming, internal CBC study group, May 31, 1985.

2.. Comments of The Canadian Broadcasting Corporation with Respect to Hearings on the Proposed Ethnic Broadcasting Policy: CRTC No. 1984-327, 1985.2.

PART FOUR

FUTURE STRATEGIES AND RECOMMENDATIONS

In spite of the efforts of the B & B Commission, the broad-ranging submissions from ethnic peoples, and the recent work of the CRTC in devising a new ethnic broadcasting policy, a number of unresolved issues remain:

For example:

- The commercial profit-making motive is not generally conducive to the effective servicing of the needs of small ethnic minorities.

- The regulatory and operational principles and practices applied to broadcasting in Canada's two official languages are not necessarily appropriate to the effective development of ethnic services.

- It is impractical to try to apply national standards to ethnic service provision since each community tends to be very different in terms of minority demographics and service needs.

- New sources of funding are urgently required, especially funding from non-commercial sources.

- Even existing forms of local area commercial support need to give more favourable consideration to less expensive media advertising opportunities of the type that will be viable in small ethnic communities.

- The present regulation of cable television, based as it is on the protection of off-air broadcasting, is not always conducive to the introduction and development of ethnic services which can take advantage of the cable distribution opportunity.

- The provision of multicultural programming is a particular problem both in the public and private sectors which, in the long term, only legislative change is likely to resolve.

One of the major obstacles to an effective resolution of these outstanding issues is the present focus on the role of the commercial sector as a prime contributor to ethnic services. In spite of the existence of a national multiculturalism policy the focus has remained largely on the provision of linguistic services by the private sector. Multicultural services both in the private and public sectors have not been accorded the same order of priority.

It is interesting to note that the latter concerns require specific public initiatives at the legislative, regulatory and policy-making levels. Thus far such initiatives have not been forthcoming, with the result that as far as broadcasting is concerned, the multiculturalism policy exists as an ideal rather than a reality. Only if broadcasting and communications policy elects to embrace the principles of the multiculturalism policy, and puts these principles into action through its policies and regulations, can one expect effective change to occur.

It must also be recognized that such actions would be diametrically different from practices currently in use. As we have seen, all of the major initiatives are now left with the private sector, with the regulatory process overlaid later to formalize what is already being done.

In the light of this it is useful to consider, in somewhat more detail, some of the principle elements that remain to be addressed, and in particular to establish potential roles for various sectorial activities.

For example, at present it is accepted that the private broadcasting sector is driven by the motive to develop viable advertiser-supported services. As a consequence, any initiatives in the provision of ethnic services must conform to this principle. Such a premise neglects the fact that a licenced broadcaster occupies a distribution facility which could be utilized by other

ethnic service providers whose content may obtain its economic support by other means.*

In a similar way, cable, rather than being only a redistributor of services originated by licenced broadcasters, could also be a production and distribution facility for independent service and content-originators. To some extent the community channel is a practical representation of this principle working in a simplified way.

The vast majority of existing activities are directed to serve "audiences", a passive population waiting to be served with commercially-viable advertiser-supported content. The primary objective is the selling of audiences to advertisers.

The reality suggests that this is too limited a view. Within the audience there are many people who have needs which can be fulfilled more effectively if they can directly access and utilize the production and distribution facility. It is therefore necessary to see the audience as not just a passive population but as an active population of potential content and service-providers, as well. Some of these potentially active service-providers may well be other small business entrepreneurs who, like their licenced broadcaster equivalents, would wish to use the broadcasting medium as a means of generating a profitable business. On the other hand, there are many groups who have no intention of making a profit, but merely wish to use the system to express ideas, to communicate with others with like interests, or to obtain an opportunity for artistic expression.

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*The success of the "brokerage" concept emphasizes the importance of seeking alternative arrangements for systems utilization.

Over and above these specific minority needs is the need to provide services which reflect the Canadian social and cultural reality which is recognized in Canada's Multiculturalism Policy. If this is to be achieved, multicultural programming must become a regular and important part of ongoing programming activities both in the public and private sectors.

It can be seen that it is not valid or realistic to continue with the notion that initiatives must come from the private sector alone. There are many sectors which must contribute if an effective multiculturalism objective is to be realized.

If an effective long-term solution is to be achieved it is essential that multiculturalism not remain a permissive option, but become an integral part of the ongoing objectives of all broadcasting and communications agencies, institutions, and industries.

The only way to be sure of achieving such a goal is to make multiculturalism a legislated necessity, forming part of the mandate of Canada's broadcasting institutions and a primary goal of Canada's regulated communications industries.

With this key objective in mind it is useful to examine the effects of what has been done to-date, in particular the impact of the CRTC's Ethnic Broadcasting Policy; the possible regulatory changes that could occur if the CRTC was disposed to alter its policy-making philosophies within the existing legislative Acts; and finally the actions necessary to change the existing legislation, with some indications of the results.

The Effects of the CRTC's Current Policies

System operation will remain much as it is now. The focus will remain on commercial profit-making initiatives to generate more ethnic services. At the same time the policy relies on improved public and private contributions

to multicultural programming. Because from a legislative and regulatory point-of-view, no change is envisaged, whatever is accomplished will have to occur within the existing operational environment.

The inducement for change is therefore likely to be largely economic, both in the public and private sectors. For example, the private sector will only introduce new linguistic services if they can be seen to be economically viable, and in both the public and private sectors any shift towards more multicultural programming will be weighed in relation to its possible impact on budgets. In the private sector the decision will be based on profits and in the public sector it will be related to the funding policies being pursued by governments.*

Overall it can be seen that there will not be a great deal of inducement for change and growth. Already, time has shown that linguistic services are slow to develop because the profit potential is not large. Similarly, there is very little economic incentive to move to deal with the complexities of introducing more diverse multicultural programming and service schedules in conventional broadcasting.

Any successful servicing of small ethnic minorities will have to come from cross-subsidization with services directed at the larger ethnic minorities. Furthermore, there is unlikely to be a great deal of incentive for regular radio and television broadcasters to do more ethnic programming in any of the CRTC's new program categories when there is a prospect that licences will be issued for ethnic stations in their service areas.

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*The public sector includes Provincially funded activities, such as those of the various educational broadcasting authorities, in addition to the CBC/Radio Canada.

Rather than creating an either/or situation through the introduction of precise regulatory procedures it might have been better to leave all options open, and to be prepared to adopt the best solution for any given service area.

In general the present situation will continue to encourage more services oriented to the existing, and largest, ethnic minorities, but it is unlikely to improve services to small ethnic populations.

Moves to enforce the carriage of ethnic broadcast services on the basic cable service will certainly increase exposure of these services, although it is not clear that this increases the possibility that the smaller ethnic minorities will have their needs satisfied.

Perhaps the greatest hope is in the possibility of extending the use of the program brokering concept to accommodate more independent service providers. As well, improved utilization of both the community channel and the cable audio closed-circuit facility could increase the availability of minority services. VBI and SCMO utilization could also be helpful but it has the disadvantage that it can result in extra costs both to the providers and users of the service.

It can be seen that this structural option does not bode well for greatly improved servicing of the needs of specific ethnic communities, nor for a major improvement in multicultural programming activities.

However, the short-term effect could well be positive in that it will sensitize people to the needs of ethnic communities, and to the desirability of an increase in multicultural programming. On the other hand the limited regulatory and operational flexibility available will tend to limit the number of solutions that can be put into place.

In the short-term too better use might be made of broadcasting and cable facilities. As well, some preliminary attempts will likely be made to introduce improved multicultural planning perspectives in public and private service institutions.

As far as the long-term is concerned, it does not appear that the CRTC's Policy gives any real hope that effective solutions to the needs we have identified can be achieved.

Altering Present Regulatory and Policy-Making Philosophies

Much more effective responses to Canada's multicultural objectives could occur, even within the existing legislation, if the CRTC was disposed to change its current practices. For example, a major effort could be directed at modifying existing regulatory and operational practices. The intention would be to build upon and modify the present ethnic broadcasting policy so as to try and create a more reliable climate in which long-term multicultural needs can be fulfilled.

A first step might be to look at commercial incentives from a much more competitive point of view. This could lead to the phasing out of the elaborate ethnic program category system so that broadcast licencees could freely introduce, change, and develop services of relevance to the specific communities they serve. As has been established in Part 2, the program category system will be as difficult to implement as the CRTC's F.M. Policy and Regulations, while restricting the flexibility broadcasters need to respond to, and change, service needs.

In order for this process to be effective it would be necessary to liberalize the Canadian content rules so that more foreign material could be carried. The intention would be to give the providers of ethnic services more opportunities to carry revenue-generating material in return for the origination and carriage of a level and quality of Canadian content which

can be realistically achieved within the economic constraints under which they have to operate.

Such an approach could require the phasing-out of the elaborate protection system that is presently a part of the ethnic broadcasting policy. For example, regular broadcasters could be allowed to do whatever ethnic programming they like, irrespective of whether a new ethnic station was to be introduced into the area. Accommodations between services would be the result of marketplace determinants and/or negotiated settlements rather than as the result of regulatory intervention. In general, then, the circumstances would be made much more competitive, yet such an approach could encourage rather than discourage more entrepreneurial initiatives.

In the light of this, much more stress could be put on the value of brokering, and current licencees could be encouraged to provide brokering facilities for independent content providers. This solution would represent a simplified form of leasing.

Attention could also be directed to the possibility of allowing low-power radio and television assignments to ethnic services, where appropriate, to permit the servicing of discrete small areas, especially within large metropolitan areas.

In addition to encouraging closed-circuit audio on cable, and in developing the community channel for ethnic services, the simple redistribution of Canadian ethnic broadcast signals by cable could be modified. This modification could lead to the possibility of constructing local service schedules out of a variety of content sources such as distant broadcast signals, closed-circuit cable audio, and community channels. Rather than necessarily setting up a discrete radio or television off-air broadcast facility in an area, the opportunity could be provided for "composite" cable-delivered services which could also be re-broadcast in the local area.

In order to encourage this, a more liberal approach could be taken to advertising on alternative services such as cable audio, the community channel, SCMO, and VBI services.

There could be two main objectives. One would be to provide a broader base of advertising opportunity in a more competitive service environment and the other to provide more opportunities for potential content and service providers to access the system.

Overall the idea would be to break away from the formalization which exists in the existing ethnic broadcasting policy and in particular to discontinue the rigid program categorization scheme which inhibits operational flexibility and entrepreneurial initiative.

Educational services could be encouraged, possibly through modifications of the existing directive,[1] so as to increase educational and language training to cultural minorities. However, since education is a provincial matter this would presumably fall to Provincial Ministers of Education.

As far as multiculturalism is concerned, steps could be taken to reward broadcasters and cable companies for initiatives in this area. For example, multicultural programming could be given a higher value in any new Canadian content rules or could be rated more favourably when setting balances between the cable carriage of foreign and Canadian services. There could even be some kind of preferential taxing system by which cable revenues would be taxed proportionately, with some favourable recognition of initiatives taken to introduce or increase multicultural services.

The CRTC should also take the initiative in exploring ways to improve the depiction and portrayal of minorities by assessing current programming practices. A suitable model for such an approach would be the committee previously established to examine sex role stereotyping.

What all this amounts to, is the introduction of entirely different and more flexibile operational and regulatory philosophies. As such they would represent a "next stage" in the evolution of appropriate regulatory and operational steps to achieve more effective ethnic service and multicultural programming objectives.

All of the steps envisaged could be carried out without any legislative modifications.

This order of change could be regarded as an intermediate stage of evolution which could bring about a greater range of service diversity than is likely to be achieved without modifying the present regulatory and policy environment. As well, it would permit a more realistic assessment of what can be achieved in a more open, competitive, commercial marketplace.

What is proposed still largely rests on economic incentives, but these are somewhat broader, simply because the regulatory climate has been made more flexible. Even so, effective services to small ethnic minorities may still be difficult to achieve, although a larger amount of operational ingenuity could be accepted within the proposed changes thus encouraging those who wish to explore new service opportunities.

The result could be an improved understanding of what can and cannot be achieved by the private sector and what needs to be undertaken by the public sector.

Introducing Legislative Change

This is considered to be an essential course of action. Major changes are envisaged to existing legislative instruments in order to greatly alter the methods of regulating and operating the present system.

For example, every major institution would have a clause included in the legislative act by which it is created, or within its designated institutional objectives, which accepted the principle of mainstream multiculturalism. As a result such changes would have to extend to the Broadcasting Act, and to the Acts creating various institutions such as the CBC, the Canada Council, the National Film Board, and Telefilm Canada. For recommended changes see Appendix I, pages 1 to 5.

In addition to this, the Broadcasting Act would be changed in such a way as to enable licencees of distribution facilities, i.e. cable, satellite or off-air terrestrial broadcasting, to lease blocks of time and pass responsibility for the content to the providers of the content. In this way the distribution facility could be operated either in a broadcast mode, or a common carrier mode, or both. For recommended changes see Appendix I, page 6.

The existing direction of the CRTC would also be changed to allow provincial and municipal organizations to own and operate distribution facilities whether off-air or cable. See Appendix I, page 7 and 8. Existing common carriers such as Bell Canada and Telesat Canada, can already own and operate cable and off-air terrestrial broadcasting facilities providing they act solely as common carrier; that is, being carriers, they have no control over the content.[2]

Under such an arrangement, the CBC would be obligated to provide multicultural programming and would also be able to lease parts of its distribution and production facilities as it saw fit. At the same time the private sector would be made much more competitive. This implies a lessening of regulatory restrictions on such matters as Canadian content and cross-ownership. The overall idea would be to enable more private services to develop which were economically viable, and which serviced identified public needs, while relying on the CBC and other public institutions to be the primary contributors of Canadian content or specialized non-commercial content.

Canadian content, which would include ethnic content, would be encouraged by various preferential programs giving tax concessions or special content credits. The overall intention would be to motivate rather than regulate the private sector to respond to needs within the public, including minority needs.

In particular there would be less reliance on regulated means of achieving objectives. Rather than relying heavily on the priority carriage system for cable television, alternative delivery technologies would be encouraged. For example, there is no reason why MDS systems might not in the future be very useful as a means of delivering ethnic services. Similarly, direct broadcast satellites may eventually become a very appropriate way of delivering linguistic services to communities across Canada. The overall intention would be to permit alternative solutions based on the developing opportunities, particularly those developing in the technological field.

In such an environment the cable industry might well be encouraged to increase its channel capacity in the face of competition, rather than as a result of regulatory necessity. Similarly, it is felt that every opportunity should be provided for the telephone companies to introduce broadband switched systems. If necessary, this should be accepted as a legitimate competition with cable since it is important to find ways to increase the channel capacity into the home if a variety of specialized services, especialy linguistic services, are to be contemplated in the long-term.

The economic foci of this approach are relatively easy to sort out. For example, public support would come through the CBC, through provincial educational authorities, and other provincially and municipally funded service activities. Clearly the level of funding in these instances would be determined by political will and public necessity. On the other hand, the economics of the private sector would be based wholly on competitive

Overall, the intention would be to have the public sector service those needs which cannot be effectively serviced by the private sector. The result should be the gradual evolution of a truly alternative system. Under such an arrangement it would be no longer possible for public bodies like the CRTC to merely shift all the responsibility for important objectives like ethnic and multicultural services to the commercial sector. It would now become a broader public responsibility whose outcome would be guided by specific legislation and hopefully flexible regulatory initiatives.

SUMMARY

It can be seen that some progress in implementing Canada's multicultural objectives can be expected as the result of the CRTC's ethnic broadcasting policy. More substantial results could be achieved, however, if the CRTC changed its regulatory philosophies. The difficulty is that such change cannot be imposed without challenging the autonommony of the CRTC.

In the final analysis the actions required to responsibly implement Canada's Multiculturalism objectives can only be accomplished through legislative change.

RECOMMENDATION

It is recommended that the Task Force on Broadcasting support changes to existing legislative instruments. In this way fundamental re-orientation in the mandates of every broadcasting sector and agency can be accomplished, thus giving greater assurance that practical actions will result which will respond to the needs of Canada's cultural minorities and give expression to Canada's Multiculturalism Policy.

respond to the needs of Canada's cultural minorities and give expression to Canada's Multiculturalism Policy.

It should be noted that the preceding examination of the effects of the CRTC's current policies, and the exploration of what might be achieved by a change in regulatory philosophies within the existing legislation, gives some indication of the various ways in which present practices can be changed both before and after the introduction of new legislation.

Sources and References - Part Four

1. See, Direction to the CRTC (Ineligibility to hold Broadcasting Licences) Paragraph 4(a) and 4(b).

2. See, example, Powers of the Company, (Conditions relating to Bell Canada) Section 5 (1), (2) and (3).

APPENDIX I

BROADCASTING ACT

(General Provisions)

Original Act

Section 3.(c)

3(c) all persons licenced to carry on broadcasting undertakings have a responsibility for the programs they broadcast but the right to freedom of expression and the right of persons to receive programs, subject only to generally applicable statutes and regulations, is unquestioned;

Revision Tabled

Addition of:

Section 3.(c1)*

3(c1) the programming provided by the Canadian Broadcasting System should respect and promote the equality and dignity of all individuals, groups or classes of individuals regardless of race, nationality or ethnic origin, colour religion, sex, age or mental or physical disability;

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* See Bill C-20

BROADCASTING ACT

(The Canadian Broadcasting Corporation)

Present Act	Suggested Revision (changes underlined)
Section (9)(iii)	Section (9)(iii)
(g) the national broadcasting service should.....	(g) the national broadcasting service should.....
(iii) be in English and French, serving the special needs of geographic regions, and actively contributing to the flow and exchange of cultural and regional information and entertainment, and.....	(iii) be in english and French, serving the special needs of geographic regions, and actively contributing to the flow and exchange of cultural and regional entertainment which reflects the cultural diversity of Canada, giving practical expression to the concept of multi-culturalism in a bilingual society, and .....

NATIONAL FILM ACT
(National Film Board)

Present Act	Suggested Revision (changes underlined)
Section 9(a)	Section (9)(a)
(a) to produce and distribute and to promote the production and distribution of films designed to interpret Canada to Canadians and to other nations;	(a) to produce and distribute and to promote the production and distribution of films and video productions designed to interpret Canada to Canadians and to other nations and to generally engage in activities which give expression to the concept of multiculturalism in a bilingual society

CANADA FILM DEVELOPMENT ACT

(Telefilm Canada)*

Present Act	Suggested Revision (changes underlined)
Section 10(1)	Section 10(1)
10(1) The objects of the Corporation are to foster and promote the development of a feature film industry in Canada, and without limiting.....	10(1) The objects of the Corporation are to foster and promote the development of a film** industry in Canada which reflects the bilingual nature of the Canadian Society and gives expression to Canada's multiculturalism policy, and without limiting.....

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* The name Telefilm Canada was approved by the Board of Directors of the Canadian Film Development Corporation on February 22nd, 1984

** "film" is used here instead of "feature film" in accordance with changes included in Bill C-20.

CANADA COUNCIL ACT
(Canada Council)

Present Act	Suggested Revision (changes underlined)
Section 8(1)	**Section 8(1)**
8(1) The objects of the Council are to foster and promote the study and enjoyment of, and the production of works in, the arts, humanities and social sciences, and, in particular, but without limiting.....	8(1) The objects of the Council are to foster and promote the Study and enjoyment of, and the production of works in, the arts, humanities and social sciences giving regard to the bilingual nature of the Canadian society and to the concept of multiculturalism in a bilingual framework, and, in particular, but without limiting.....

BROADCASTING ACT

(General Provisions)

Original Act	Suggested Revision (changes underlined)
Does not allow for operation of a broadcasting undertaking as a common carrier.	To cover operation of a broadcasting undertaking as a common carrier:

Addition of 3(c2)

3(c2) Notwithstanding the provisions of 3(c) above, if a person licenced to carry on a broadcasting undertaking is licenced to operate the undertaking in whole or in part as a common carrier then the licensee shall not, in such an operational mode, control the contents nor influence the meaning of the message emitted, transmitted, or received.

Excerpt from, Direction to the CRTC, P.C. 1985-2108, 27th June 1985

Suggested revisions to increase the powers of Provincial and Municipal governments to own and operate broadcasting licences.
(Changes are underlined.)

Direction

3. The Commission is hereby directed that, on and after (date), broadcasting licences may not* be issued and renewals of broadcasting licences may not* be granted to applicants of the following classes:

   (a) Her Majesty in the right of any province;

   (b) agents of Her Majesty in right of any province; and

   (c) municipal governments.

4. Where, in respect of an application for a broadcasting transmitting undertaking licence principally for the purpose of retransmission of programming* or a broadcasting receiving undertaking licence, or a renewal thereof, applied for by an applicant of the class described in paragraphs(s)* 3(a), 3(b), and** 3(c) or by any person that in the

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* deleted

** added

opinion of the Commission, acts on behalf of Her Majesty in the right of any province; on behalf of agents of Her Majesty in right of any province;** is controlled by a municipal government, the Commission is satisfied that

(a) a substantial portion of the area served or sought to be served under the broadcasting licence is not served or to be served by a broadcasting receiving undertaking, other than an undertaking for which the applicant is the licensee, already authorized by the Commission,

(b) a refusal to issue the broadcasting licence applied for or grant a renewal thereof would be contrary to the public interest, and

(c) the community programming provided by the undertaking will provide a reasonable, balanced opportunity for the expression of differing views on matters of public concern, respect the bilingual nature of the Canadian Society, and reflect the objectives of Canada's Multiculturalism Policy.

** added

It should be noted that the preceding examination of the effects of the CRTC's current policies, and the exploration of what might be achieved by a change in regulatory philosophies within the existing legislation, gives some indication of the various ways in which present practices can be changed both before and after the introduction of new legislation.

APPENDIX II

The CRTC has established four categories of ethnic programming:

- **TYPE A** is programming in languages other than English, French or native Canadian.

- **TYPE B** is programming in French or English for groups whose common bond language is English or French but who are racially or culturally distinct; for example, Caribbean Blacks.

- **TYPE C** is programming in French or English directed to groups whose heritage language is included in Type A but who have not retained that language.

- **TYPE D** is mixed-language programming in English or French plus a third-language from Type A, directed to a culturally or racially distinct group.

- **TYPE E** is programming in French or English that depicts Canada's cultural diversity, directed to any ethnic group or a mainstream audience.

The above is based on our analysis of the CRTC's policy undertaken by ATN Management Communications of Ottawa.